

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

NEODRON LTD., ATMEL  
CORPORATION, and ATMEL GLOBAL  
SALES LTD.,

Defendants.

No. 20-CV-1216-JLR

**MICROSOFT'S AND NEODRON'S  
STIPULATED MOTION TO ALLOW  
USE OF DOCUMENTS PRODUCED IN  
RELATED LITIGATION IN THIS  
LITIGATION AND ORDER**

Note on Motion Calendar: September 23,  
2020

**STIPULATION**

Plaintiff Microsoft Corporation ("Microsoft") and Defendant Neodron Ltd. ("Neodron") (collectively, the "Parties") stipulate and agree as follows:

1. In this breach of contract case, Microsoft asserts that Neodron breached a covenant not to sue provision of a component purchase agreement between Microsoft and Defendants Atmel Corporation and Atmel Global Sales, Ltd. Neodron is not a signatory to that agreement.

2. Neodron filed a motion to dismiss Microsoft's complaint based on lack of personal jurisdiction, claims splitting, and improper venue. That motion is pending before the Court and Microsoft's opposition to that motion is due on or before September 28, 2020.

1           3.       Prior to filing this breach of contract case against Neodron, Microsoft filed an  
2 arbitration against Neodron and Microchip Technology, Inc. that involve similar, but distinct  
3 issues to those in this action. As part of that arbitration, which is still pending, Neodron produced  
4 documents and made statements that Microsoft asserts are relevant to this action, including  
5 documents that Microsoft asserts it needs to respond to Neodron's motion to dismiss. While  
6 Neodron does not agree that any such information is relevant or appropriate in opposing Neodron's  
7 motion to dismiss, Neodron nevertheless does not oppose the request to use that information in the  
8 manner described in this stipulation, while reserving all rights and arguments concerning the  
9 procedural and substantive relevance of such information.

10           4.       In order to allow the Parties to use information that Microsoft asserts is needed to  
11 adequately brief the pending motion to dismiss, the Parties agree that any information exchanged  
12 by them in the above-mentioned arbitration should be allowed to be used in this action subject to  
13 a protective order entered in this case.

14           5.       For the reasons discussed above, good cause exists for the Court to enter this  
15 stipulated motion.  
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1 DATED: September 23, 2020

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***Attorneys for Defendant Neodron Ltd.***

**ORDER**

Based on the foregoing stipulation, IT IS SO ORDERED that any information exchanged by Microsoft and Neodron in the above-mentioned arbitration shall be allowed to be used in this litigation.

Dated this 24th day of September, 2020.



The Honorable James L. Robart  
United States District Court Judge

Presented by:

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**CERTIFICATE OF SERVICE**

I certify that I will cause the foregoing document(s) to be served on the following parties by the method(s) indicated below.

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1  
2 DATED this 23rd day of September, 2020.

/s/ T. Andrew Culbert

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